

REMARKS

This amendment is being filed in response to an Office Action mailed 10/05/2005, in which the Examiner said that claims 1-38 were pending but rejected. In this amendment, claims 7, 13, 23, and 37 are amended, and new claims 39-43 are added, with various reasons for rejections being traversed below.

Corrections made to Claims

The punctuation was changed in claim 7 to achieve consistency within the claim.

In claim 13, "password" is changed "present password" to match an antecedent base provided elsewhere in the claim, and "and" is moved to be placed between the last two elements in a list.

In claim 23, line 20 as originally filed, "said base computing" is changed to "said base computing system" to match the antecedent basis provided by claim 16, line 6 as originally filed. Also in claim 23, on line on line 26 as originally filed, "determining if and" is changed to "in response to determining that said password separated from said random number matches said password stored." The original phrase does not make sense in the claim, and support is found in the specification as originally filed on page 20 of 42, lines 13-18, where it is noted that a further determination step does not occur between determining, in step 180, whether the password separated from the random number matches a password stored and transmitting the response to the portable computing system in step 164.

In claim 37, line 22 as originally filed, "said time" is changed to "said timer" to match the antecedent basis provided in the previous line in the claim.

Response to Objections to the Specification

In the above-mentioned Office Action, the Examiner said that the specification was objected to because "the" should be "he" in page 3, lines 23-24. In this amendment, this correction is made.

Claims Rejected under 34 USC §103

The Examiner additionally said that claims 1-38 were rejected under 35 USC §103(a) as being unpatentable over U.S. Pat. No. 6,085,323 to Shimizu et al. in view of U.S. Pat. No. 6,032,258 to Godoroja et al.

Like the Applicant's invention, the apparatus of Shimizu et al. uses cryptographic operations provided within a device attached to a portable computing system and within the portable computing system itself to determine whether restricted access to certain information or operations is allowed. However, the apparatus of Shimizu et al. requires the device to be attached to the portable computing system, or at least in communication with the portable computing system at the time the restricted access is provided, as describe in column 8, lines 19-25, and column 9, lines 12-19. On the other hand, the Applicant's invention allows the restricted access to be provided while the portable computer is removed from the other device, which is described as a base computing system, and not in communication with this base computing system, so long as a timer set by the portable computer user is running.

These differences provide significant advantages for the Applicant's invention. If the user goes on a trip, he can take his portable computing system along, using a base computer remaining at a home location to validate that he is the one using the computer on a periodic basis. With the invention of Shimizu et al, he has to carry the other computing device along for attachment, or at least communication whenever he uses the personal system for restricted access. This makes the other computing device of Shimizu et al. more like a mechanical key that must be

carried and inserted to operate the computing system. If the portable computing system and the other device must be carried and used together, it is likely that they will be lost together, and that a thief may then be able to access the restricted data. With the Applicant's invention, the other device is left at a home location, so that it is not lost with the portable computing system, a person stealing or finding the portable computer system cannot perform the method with the base computer, and the user can notify the base system if the portable computing system becomes lost.

The invention of Godoroja et al., which has nothing to do with determining whether a portable computer system has been lost, provides a method for determining if a packet has been transmitted by a particular system at a recent time.

Regarding claim 1, in the above-mentioned Office Action, the Examiner said that Shimitzu et al. does not teach the following, but that Gordoroja et al. teaches:

resetting a timer within said portable computing system to run for a specified time (*see column 3, lines 15 - 16: where each node maintains a time reference*) ; and

providing access to said secure data only when said timer is running (*see column 6, lines 15 - 16: where all data transmissions have time reference, if not it is considered invalid*).

Regarding the above statement by the Examiner, the Applicants respectfully submit that Godoroja et al. does not describe the requirements for:

resetting a timer within said portable computing system to run for a specified time; and

providing access to said secure data only when said timer is running

Instead, Godoroja et al. describes a method for comparing the time when a message is transmitted with the time when it is received. As described in column 3, lines 15-25, of Godoroja et al., each of the nodes has access to a clock mechanism that provides a time reference, with the clock mechanism being either resident in each of the network components, or with each of the network components having its own clock mechanism. The "age" of the information packet is determined by calculating a difference between two clock measurements, as described in column 4, lines 57-60, or alternately as described in column 5, lines 7-13. Thus, the clock mechanism must run constantly; it is never reset to run for a specified time. Furthermore, since the clock mechanism is running constantly, Godoroja et al. does not teach providing access to secure data only when a timer is running. Instead, Godoroja et al. provides access to an individual packet of data only when the difference between the two measured times is less than a predetermined value.

For the reasons described above, the Applicants further respectfully submit that claim 1 is patentable under 35 USC §103(a) over Shimitzu et al., in view of Godoroja et al.

Regarding claims 2-5, the Applicants respectfully submit that, since these claims merely add limitations to claim 1, which is believed to be patentable as described above, these claims are patentable under 35 USC §103(a) over Shimitzu et al., in view of Godoroja et al.

Regarding claim 6. since Godoroja et al. calculates a difference between two times, not a time remaining, as explained in detail above regarding claim 1, and since Shimitzu et al. does not deal with a time remaining, the Applicants respectfully submit that Shimitzu et al. and Godoroja et al. do not teach, describe, or anticipate the requirements of this claim for.

said timer includes a timer register storing a number corresponding to a time remaining,

said number corresponding to a time remaining is decremented in response to a series of timing pulses generated within said portable computing system, and

setting said timer includes storing a number corresponding to said specified time in said timer register.

Therefore, and additionally because claim 6 merely adds these requirements to claim 1, which is believed to be patentable as described above, the Applicants respectfully submit that claim 6 is patentable under 35 USC §103(a) over Shimitzu et al., in view of Godoroja et al.

Regarding claim 7, since the timer of Godoroja et al. is always running, and since Shimizu et al. does not describe a timer, as explained above in detail regarding the rejection of claim 1, the Applicants respectfully submit that Shimizu et al. and Godoroja et al., taken separately or in combination, do not describe the limitations of this claim for:

setting a timer within said portable computing system to run until
said specified time has expired;
determining if said timer is running; and
providing access to said secure data only when said timer is
running.

Therefore, the Applicants respectfully submit that claim 7 is patentable under 35 USC §103(a) over Shimitzu et al., in view of Godoroja et al.

Regarding claims 8 and 9, since these claims merely add limitations to claim 7, which is believed to be patentable as described above, the Applicants

respectfully submit that these claims are patentable under 35 USC §103(a) over Shimitzu et al., in view of Godoroja et al.

Regarding claim 10, since Godoroja et al. calculates a difference between two times, not a time remaining, as explained in detail above regarding claim 1, and since Shimitzu et al. does not deal with a time remaining, the Applicants respectfully submit that Shimitzu et al. and Godoroja et al., not having a need for a register storing a number corresponding to a time remaining, do not teach, describe, or anticipate the requirements of this claim for.

said timer includes a timer register storing a number corresponding to a time remaining,

said number corresponding to a time remaining is decremented in response to a series of timing pulses generated within said portable computing system, and

setting said timer includes storing a number corresponding to said specified time in said timer register.

Therefore, and additionally because claim 10 merely adds these requirements to claim 7, which is believed to be patentable as described above, the Applicants respectfully submit that claim 10 is patentable under 35 USC §103(a) over Shimitzu et al., in view of Godoroja et al.

Regarding claims 11 and 12, since these claims merely add limitations to claim 7, which is believed to be patentable as described above, the Applicants respectfully submit that these claims are patentable under 35 USC §103(a) over Shimitzu et al., in view of Godoroja et al.

Regarding claim 13, since Shimitzu et al. does not describe the use of a timer, and since Godoroja et al. teach only the use of a timer that is continuously running without being reset, as described above in reference to the rejection of

claim 1, during the process described within the patents, Shimitzu et al. and Godoroja et al. do not teach the requirements of this claim for said timer to be set within said portable computing system in response to receiving a determination that said present password matches said stored password. Therefore, and additionally because claim 13 merely adds this requirement to claim 7, which is believed to be patentable as described above, the Applicants respectfully submit that claim 14 is patentable under 35 USC §103(a) over Shimitzu et al., in view of Godoroja et al.

Regarding claim 14, since Shimitzu et al. does not describe the use of a timer, and since Godoroja et al. teach only the use of a timer that is continuously running without being reset during the process described, Shimitzu et al. and Godoroja et al. do not teach the requirements of this claim for said timer to be set within said portable computing system in response to receiving said approval code. Therefore, and additionally because claim 13 merely adds this requirement to claim 7, which is believed to be patentable as described above, the Applicants respectfully submit that claim 14 is patentable under 35 USC §103(a) over Shimitzu et al., in view of Godoroja et al.

Regarding claim 15, since this claim merely add limitations to claim 14, which is believed to be patentable as described above, the Applicants respectfully submit that claim 15 is patentable under 35 USC §103(a) over Shimitzu et al., in view of Godoroja et al.

Regarding claim 16, since Shimitzu et al. does not describe the use of a timer, and since Godoroja et al. teach only the use of a timer that is continuously running without being reset during the process, as described in detail above in reference to the rejection of claim 1, Shimitzu et al. and Godoroja et al. do not teach the requirements of this claim for:

setting said timer to run until said specified time has expired;

determining if said timer is running; and
providing access to said secure data only when said timer is
running.

Therefore, the Applicants respectfully submit that claim 16 is patentable under 35 USC §103(a) over Shimitzu et al., in view of Godoroja et al.

Regarding claims 17 and 25, since Godoroja et al. calculates a difference between two times, not a time remaining, as explained in detail above regarding claim 1, and since Shimitzu et al. does not deal with a time remaining, the Applicants respectfully submit that Shimitzu et al. and Godoroja et al., not having a need for a register storing a number corresponding to a time remaining, do not teach, describe, or anticipate the requirements of this claim for.

said first storage means includes a timer register storing a number corresponding to a time remaining,

said number corresponding to a time remaining is decremented in response to a series of timing pulses generated within said portable computing system, and

setting said timer includes storing a number corresponding to said specified time in said timer register.

Therefore, and additionally because claims 17 and 25 merely add these requirements to claim 16, which is believed to be patentable as described above, the Applicants respectfully submit that claim 17 and 25 are patentable under 35 USC §103(a) over Shimitzu et al., in view of Godoroja et al.

Regarding claims 18-21, since these claims merely add limitations to claim 17, which is believed to be patentable as described above, the Applicants respectfully submit that these claims are patentable under 35 USC §103(a) over Shimitzu et al., in view of Godoroja et al.

Regarding claims 21-24 and 26-28, since these claims merely add limitations to claim 16, which is believed to be patentable as described above, the Applicants respectfully submit that these claims are patentable under 35 USC §103(a) over Shimitzu et al., in view of Godoroja et al.

Regarding claim 29, since Shimitzu et al. does not describe the use of a timer, and since Godoroja et al. teach only the use of a timer that is continuously running without being reset, as described above in reference to the rejection of claim 1, during the process described within the patents, Shimitzu et al. and Godoroja et al. do not teach the requirements of this claim for setting a timer to run until a specified time has expired.

Regarding claims 30-34, since these claims merely add limitations to claim 29, which is believed to be patentable as described above, the Applicants respectfully submit that these claims are patentable under 35 USC §103(a) over Shimitzu et al., in view of Godoroja et al.

Regarding claim 35 and 37, since Shimitzu et al. does not describe the use of a timer, and since Godoroja et al. teach only the use of a timer that is continuously running without being reset, as described above in reference to the rejection of claim 1, during the process described within the patents, Shimitzu et al. and Godoroja et al. do not teach the requirements of these claims for setting a timer within said portable computing system to run for said specified time, wherein said access to secure data is provided only when said time is running

Regarding claims 36 and 38, since these claims merely add limitations to claim 35 and 37, respectively, which are believed to be patentable as described above, the Applicants respectfully submit that these claims are patentable under 35 USC §103(a) over Shimitzu et al., in view of Godoroja et al.

New Claims

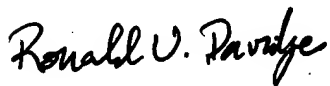
In this amendment, new claims 39-43 are presented, adding to independent claims 1, 7, 18, 35, and 37 a requirement that the access to secure data is provided with the portable computing system being connected to transmit and receive data from the base computing system on a periodic basis. Support for these new claims is found in the specification as originally filed on page 8 of 47, lines 5-10 and lines 19-23.

These additional requirements of the new claims represent significant differences from the apparatus of Shimizu et al, which must be connected to the security device for the data to be accessed. In the Applicant's invention, the user can operate the portable computing system without attachment or connection to the base computer for a time provided by the timer. For this reason, and additionally because claims 1, 7, 18, 55, and 37 are believed to be patentable as described above, these new claims 38-43 are believed to be patentable.

Conclusions

The Applicants respectfully submit that the application, including claims 1-43 is now in condition for allowance, and that action is respectfully requested, with reconsideration and withdrawal of all reasons given for objections and rejections.

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